

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

**TRAVELERS CASUALTY & SURETY COMPANY
OF AMERICA**

PLAINTIFF

VS.

CAUSE NO. 2:13cv101KS-MTP

**HUB MECHANICAL CONTRACTORS, INC.,
CARREME B. CURRY, GEORGE C. CURRY,
CINDY B. CURRY, MARGIE C. FAILS,
PHILIP A. FAILS, AND ARTHUR C. HENDERSON**

DEFENDANTS

**TRAVELERS CASUALTY & SURETY COMPANY OF AMERICA'S
MOTION TO STAY PROCEEDINGS AS TO
GEORGE C. CURRY AND CINDY B. CURRY ONLY**

Travelers Casualty & Surety Company of America ("Travelers") hereby moves this Court for a stay of proceedings as to Defendants George C. Curry and Cindy B. Curry only, and in support thereof would show as follows:

1. Following service of the Summons and Complaint on George C. Curry and Cindy B. Curry, counsel for George C. Curry and Cindy B. Curry contacted the undersigned counsel for Travelers to inform Travelers that George C. Curry was no longer an owner of Hub Mechanical Contractors, Inc. at the time of the projects at issue in this lawsuit, and that George C. Curry and Cindy B. Curry believed that they had been removed from all indemnity agreements with Travelers.¹

2. After an exchange of documentation, Travelers agreed to seek a stay of proceedings as to George C. Curry and Cindy B. Curry. If information and documentation is revealed throughout discovery that would disprove the assertions of George C. Curry and Cindy B. Curry, then Travelers

¹ Note that the George C. Curry referenced in this Motion is George C. Curry, Jr. George C. Curry, Sr., is deceased.

will seek to lift the stay.

3. As such, Travelers hereby moves this Court for a stay as to Defendants George C. Curry and Cindy B. Curry only, and requests that the litigation proceed as to all other defendants.

4. Travelers requests that the requirement for a memorandum in support of this Motion be waived as said motion is self-explanatory.

This the 13th day of February, 2014.

Respectfully submitted,

KREBS, FARLEY & PELLETERI, PLLC

/s/ Ellie B. Word

ELLIE B. WORD, Ms. Bar No. 100408

ALEC M. TAYLOR, Ms. Bar No. 102874

One Jackson Place, Suite 900
188 East Capitol Street
Jackson, Mississippi 39201
601/ 968-6710 (telephone)
601/ 968-6708 (facsimile)

eword@kfplaw.com

ataylor@kfplaw.com

Attorneys for Travelers Casualty & Surety Company of America

CERTIFICATE OF SERVICE

I, Ellie B. Word, do hereby certify that a copy of the foregoing Motion to Stay as to George C. Curry and Cindy B. Curry Only has been served via the ECF System to the following:

Mr. Robert C. Williamson
Barria-Williamson PLLC
4316 Old Canton Road, Suite 100A
Jackson, Mississippi 39211
Attorney for Margie C. Fails

Mr. Christopher Solop
Biggs, Ingram, Solop & Carlson, PLLC
P.O. Box 14028
Jackson, Mississippi 39236-4028
Attorney for Philip A. Fails

Mr. S. Christopher Farris
Farris Law Offices
6645 Highway 98 West, Suite 3
Hattiesburg, Mississippi 39402-7509
Attorney for George and Cindy Curry

This the 13th day of February, 2014.

/s/ Ellie B. Word
Ellie B. Word